



Appeal Decision

Site visit made on 13 February 2023

by **J Burston BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17th February 2023

Appeal Ref: APP/P0119/D/22/3309584

12 Cherry Gardens, Bitton, BS30 6JD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Richard Wright against the decision of South Gloucestershire Council.
 - The application Ref P22/03664/HH, dated 30 June 2022, was refused by notice dated 18 August 2022.
 - The development is a proposed garage forward of the front elevation of the main dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

3. The appeal site is located within a discrete enclave of 2-storey semi-detached properties, situated on a wide sweeping convex bend in the road. Indeed, by reason of their general alignment, form and relatively large front gardens, the area has a spacious and harmonious appearance.
4. The proposed garage would be positioned close to the front boundary of the appeal property and the shared boundary of its neighbour, No 11. It would occupy much of the breadth of the lawned front garden and even with a hipped roof to minimise the height of the garage, its size and position close to the public highway, would combine to make the building unduly prominent within an area that is characterised by the open nature of the front gardens.
5. Moreover, given its siting on this convex corner, the garage would appear as an incongruously isolated building that would be at harmful odds with the spacious, open nature of the surrounding gardens. This would be of visual detriment to the street scene thereby causing unacceptable harm to the character and appearance of the area.
6. The appellant has brought to my attention three garages in the surrounding area which are said to represent a precedent. There is a detached garage at 47 Cherry

Gardens, but whilst the property does occupy a corner plot, its relationship with the street scene is entirely different as it is located on the junction of Cherry Gardens and Bath Road. Moreover, I do not know the circumstances which lead to the Council finding the development acceptable.

7. The garage at 15 Cherry Gardens is set along way back from the highway and has been positioned close to the neighbouring house. Because of this relationship it does not appear as an isolated building, but one that respects the context of the neighbouring houses.
8. Finally, the garage at 106a High Street is located on a straight stretch of road, where the building line of the properties, close to the appeal site, vary significantly. As such its presence, close to the front boundary, does not immediately draw the eye.
9. Given these differences, the presence of these garages does not form a binding precedent for approving the appeal scheme. These Council decisions merely illustrate that every proposal has a different context requiring it to be considered on its particular planning merits.
10. I also note that the appellant does not currently use the front garden and requires a garage to store a classic car. Whilst I have given careful consideration to the appellant's personal circumstances, I am mindful of the advice contained in the Planning Practice Guidance (*Paragraph 008 Reference ID 21b-008-20140306*) that, in general, planning is concerned with land use in the public interest. It is also likely that the proposed development would remain long after the current personal circumstances cease to be material. Moreover, it has not been sufficiently demonstrated that there are not alternative ways to alter the property to achieve this objective which would be less harmful.
11. I acknowledge the mitigation put forward by the appellant, including the change in design from that previously refused and that the garage complies with the Householder Design Guide in terms of retaining a clear view of the front door. I also acknowledge that there are no objections from neighbours and that the appellant would install an electrical vehicle charging point. Nevertheless, the lack of objections is a neutral matter and the charging point and other mitigating factors do not outweigh the harm that has been found.
12. I, therefore, conclude that the proposed development would be at odds to the existing pattern of development, damaging the character and appearance of the area and conflicting with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy 2013 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan 2017. These policies seek to ensure that the proposed development will be of a high quality design and should respond to and reflect the local character and quality of an area. The proposal would also be contrary to the objectives, at paragraph 130, of the National Planning Policy Framework (the Framework) to achieve well-designed places.

Conclusion

13. The proposed garage would cause significant harm to the character and appearance of the area and would conflict with the development plan taken as a whole. There are no material considerations of sufficient weight that indicate the decision should be made other than in accordance with the development plan.

Accordingly, for the reasons given above I conclude that the appeal should be dismissed.

J Burston

INSPECTOR